

S.R. 572 - by Clower: Extending congratulations to Terry Allen Breese.

ADJOURNMENT

On motion of Senator Aikin the Senate at 12:08 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

(April 25, 1977)

S.C.R.	17	S.C.R.	46
S.C.R.	25	S.C.R.	54
S.C.R.	34	S.C.R.	55
S.C.R.	37	S.C.R.	58
S.C.R.	39	S.C.R.	70
S.C.R.	44	S.C.R.	89
S.B.	75	S.B.	388
S.B.	77	S.B.	527
S.B.	78	S.B.	567
S.B.	87	S.B.	604
S.B.	193	S.B.	757
S.B.	194	S.B.	939
S.B.	258		

FIFTY-SEVENTH DAY

(Tuesday, April 26, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

A quorum was announced present.

The Reverend Dale Vance, Memorial Baptist Church, Port Arthur, Texas, offered the invocation as follows:

Our Heavenly Father, as we come this morning we take so many things for granted that we don't stop and thank You for the opportunity that we have to be free, the thing that You give us in life in which to enjoy life with. We thank You for this beautiful weather. We thank You for the government that we have. We thank

You for these senators and members of the House that serve us. We know that all government is ordained of You, and there is not a government in the world that has not been ordained by You. This is the way that You have planned it, and I thank You for these men who serve You so ably. And I pray Your blessings on the proceedings today, and everything that will be presented, I pray that every one who is here will seek Your will and do what is best. Thank You for these who preside, we ask Your blessings on everything now that is done today. Thank You for this beautiful day, and for the things that we have here in Texas and in America in which to enjoy life with.

These things we pray in Thy Precious Name, Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

REPORTS OF STANDING COMMITTEES

Senator Schwartz submitted the following report for the Committee on Jurisprudence:

S.B. 501 (Amended)
C.S.S.B. 937 (Read first time)
C.S.S.B. 690 (Read first time)
S.B. 725
S.B. 930
S.B. 1059
S.B. 1123
H.B. 1304
S.B. 958
C.S.S.B. 697 (Read first time)
C.S.H.B. 1792 (Read first time)
C.S.H.B. 1793 (Read first time)
S.B. 746
S.B. 1182
S.B. 1129
C.S.S.B. 65 (Read first time)

Senator Creighton submitted the following report for the Committee on Economic Development:

S.B. 988
S.B. 1102
S.B. 816 (Amended)
C.S.S.B. 1003 (Read first time)
C.S.S.B. 1012 (Read first time)
C.S.S.B. 998 (Read first time)
C.S.S.B. 363 (Read first time)

SENATE BILLS AND RESOLUTION ON FIRST READING

By unanimous consent, the following bills and resolution were introduced, read first time and referred to the Committee indicated:

S.B. 1288 by Williams

Intergovernmental Relations

Amending Article 5139 VV, Vernon's Texas Civil Statutes; providing for the creation of the child support services department by the Commissioners Court of Harris County, upon the recommendation of the juvenile board, to enforce, receive and disburse child and wife support payments; providing in the alternative for the creation of a child support board of the Commissioners Court of Harris County to appoint the chief administrative officer of the child support services department; and further providing that the chief administrative officer of the child support services department enter into a surety bond, keep accurate records of all receipts and disbursements and, upon approval of Commissioners Court, assess and collect a fee for the receipt and disbursement of wife and child support payments.

S.B. 1289 by Jones of Taylor

Natural Resources

Relating to contracts, bonds, and taxes of the Runnels County Water Authority; amending Sections 1, 2, 10, 11, and 12, Chapter 376, Acts of the 54th Legislature, 1955, as amended (Article 8280-176, Vernon's Texas Civil Statutes).

S.R. 581 by Ogg

Administration

Creating a special select committee to study the recreational, ecological, safety, and economic aspects in use of Texas beaches by general public.

HOUSE BILLS ON FIRST READING

The following bills received from the House, were read the first time and referred to the Committee indicated:

H.B. 39, To Committee on Jurisprudence.

H.B. 360, To Committee on Economic Development.

H.B. 467, To Committee on Natural Resources.

H.B. 750, To Committee on Education.

H.B. 786, To Committee on Jurisprudence.

H.B. 846. To Committee on Economic Development.

H.B. 860, To Committee on Intergovernmental Relations.

H.B. 927, To Committee on Intergovernmental Relations.

H.B. 928, To Committee on Intergovernmental Relations.

H.B. 945, To Committee on Jurisprudence.

H.B. 1124, To Committee on Jurisprudence.

H.B. 1201, To Committee on Intergovernmental Relations.

H.B. 1421, To Committee on Jurisprudence.

H.B. 1437, To Committee on Economic Development.

H.B. 1445, To Committee on Jurisprudence.

H.B. 1448, To Committee on Education.

H.B. 1466, To Committee on Jurisprudence.

H.B. 1482, To Committee on Intergovernmental Relations.

H.B. 1510, To Committee on Intergovernmental Relations.

H.B. 1594, To Committee on Education.

H.B. 1604, To Committee on Intergovernmental Relations.

H.B. 1685, To Committee on Education.

H.B. 1703, To Committee on State Affairs.

H.B. 1713, To Committee on Administration.

H.B. 1729, To Committee on Natural Resources.

H.B. 1733, To Committee on Intergovernmental Relations.

H.B. 1743, To Committee on State Affairs.

H.B. 1773, To Committee on State Affairs.
H.B. 1897, To Committee on Economic Development.
H.B. 1936, To Committee on Jurisprudence.
H.B. 1994, To Committee on Education.
H.B. 2133, To Committee on Natural Resources.
H.B. 2138, To Committee on Natural Resources.
H.B. 2148, To Committee on Intergovernmental Relations.
H.B. 2152, To Committee on Education.

MESSAGE FROM THE HOUSE

House Chamber
 April 26, 1977

Honorable William P. Hobby
 President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S.C.R. No. 80, Inviting The Honorable John G. Tower to address a joint session of the Legislature during April or May 1977.

H.C.R. No. 146, In memory of W. G. "Bill" McCampbell, Vice-Chairman of San Antonio River Authority.

The House has adopted the Conference Committee Report on Senate Bill No. 185 by a vote of 102 Ayes, 34 Noes and 1 Present-Not Voting.

Respectfully submitted,
BETTY MURRAY, Chief Clerk
 House of Representatives

BILLS AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

S.C.R.	3	H.B.	451
S.B.	637	H.B.	609
S.B.	685	H.B.	1157
S.B.	689	H.B.	1213
S.B.	735	H.B.	1276
S.B.	922	H.B.	1324
H.C.R.	49	H.B.	1429
H.C.R.	75	H.B.	1430
H.B.	145	H.B.	1461

SENATE RULE 103 SUSPENDED

On motion of Senator Adams and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on Administration might consider **S.B. 1279** today at 4:30 o'clock p.m.

PRESENTATION OF GUEST

Senator Aikin presented to the Members of the Senate Mrs. T. Gilbert Adams, mother of Senator Don Adams.

SENATE BILL 1210 WITH HOUSE AMENDMENT

Senator Snelson called **S.B. 1210** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Committee Amendment No. 1

Amend **S.B. 1210**, as engrossed, Section 6, page 8, by striking line 5 and substituting the following:

"technicians, nurses, and other persons or employees of the district"

The amendment was read.

Senator Snelson moved to concur in the House amendment.

The motion prevailed by the following vote: Yeas 31, Nays 0.

(Senator Adams in Chair)

SENATE BILL 1139 ON SECOND READING

Senator Jones of Taylor moved to suspend the regular order of business to take up for consideration at this time:

S.B. 1139, Relating to the creation, administration, powers, duties, and operations of the Texas Department of Water; providing penalties; amending Title 2, Water Code, as amended, and Sections 2, 3(a) and (b), 4(a), (b), and (f), 4(e)(9), 5(a), 5(d)(4) and (6), 7, 8, 9, Solid Waste Disposal Act, as amended (Article 4477-7, Vernon's Texas Civil Statutes).

(President in Chair)

The motion prevailed by the following vote: Yeas 21, Nays 10.

Yeas: Adams, Aikin, Braecklein, Brooks, Clower, Doggett, Farabec, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Mauzy, Meier, Parker, Patman, Santiesteban, Schwartz, Sherman, Traeger, Truan, Williams.

Nays: Andujar, Creighton, Hance, Harris, Longoria, McKnight, Mengden, Moore, Ogg, Snelson.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time.

Senator Doggett offered the following amendment to the bill:

Amend Section 5.131 of **S.B. 1139** as printed by making the present language subsection (a) and adding a new subsection (b) to read as follows:

“(b) The board shall select and appoint the executive director with the advice and consent of two-thirds of the Senate present.

If the appointment is made during the recess of the Senate, the said appointee shall be nominated to the Senate during the first ten days of its session. If rejected, said office shall immediately become vacant, and the board shall, without delay, make further nominations, until a confirmation takes place. But should there be no confirmation during the session of the Senate, the board shall not thereafter appoint any such person to fill such vacancy who has been rejected by the Senate; but may appoint some other person to fill the vacancy until the next session of the Senate.

The amendment was read.

Senator Brooks moved to table the amendment.

The motion was lost by the following vote: Yeas 15, Nays 16.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Harris, Lombardino, McKnight, Meier, Moore, Ogg, Sherman, Snelson, Traeger, Williams.

Nays: Clower, Creighton, Doggett, Farabee, Hance, Jones of Harris, Jones of Taylor, Kothmann, Longoria, Mauzy, Mengden, Parker, Patman, Santiesteban, Schwartz, Truan.

Question on adoption of the amendment, “Yeas” and “Nays” were demanded.

The amendment was adopted by the following vote: Yeas 17, Nays 14.

Yeas: Clower, Creighton, Doggett, Farabee, Hance, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, Mengden, Parker, Patman, Santiesteban, Schwartz, Truan.

Nays: Adams, Aikin, Andujar, Braecklein, Brooks, Harris, McKnight, Meier, Moore, Ogg, Sherman, Snelson, Traeger, Williams.

On motion of Senator Jones of Taylor and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment by the following vote: Yeas 18, Nays 13.

Yeas: Braecklein, Clower, Doggett, Farabee, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, Meier, Parker, Patman, Santiesteban, Schwartz, Sherman, Truan, Williams.

Nays: Adams, Aikin, Andujar, Brooks, Creighton, Hance, Harris, McKnight, Mengden, Moore, Ogg, Snelson, Traeger.

COMMITTEE SUBSTITUTE SENATE BILL 157 ON SECOND READING

Senator Meier asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 157, Relating to the admission in evidence of statement of an accused in a criminal proceeding; amending Articles 38.21 and 38.22, Code of Criminal Procedure, 1965, as amended.

There was objection.

Senator Meier then moved to suspend the regular order of business and take up **C.S.S.B. 157** for consideration at this time.

The motion prevailed by the following vote: Yeas 21, Nays 10.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Meier, Mengden, Moore, Ogg, Patman, Schwartz, Snelson, Traeger, Williams.

Nays: Clower, Creighton, Doggett, Longoria, Mauzy, McKnight, Parker, Santiesteban, Sherman, Truan.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

RECORD OF VOTES

Senators Doggett, Mauzy, Longoria and Sherman asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 667 ON SECOND READING

On motion of Senator Meier and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 667, Amending Article 2 of Subchapter IV, Texas Banking Code of 1943, as amended, (Article 342-402, Vernon's Texas Civil Statutes), relating to voting rights of a state bank in its own stock held in a fiduciary capacity; and declaring an emergency.

The bill was read second time and was passed to engrossment.

RECORD OF VOTE

Senator Hance asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 667 ON THIRD READING

Senator Meier moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 667** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Sherman.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Hance, Sherman.

MOTION TO PLACE SENATE BILL 452 ON SECOND READING

Senator Santiesteban moved to suspend the regular order of business to take up for consideration at this time:

S.B. 452, Relating to a temporary allowance which may be granted on divorce or annulment; amending Section 3.63, Family Code; amending Chapter 3, Family Code, by adding Section 3.631.

The motion was lost by the following vote (Not receiving two-thirds vote of the Members of the Senate): Yeas 16, Nays 15.

Yeas: Andujar, Doggett, Jones of Harris, Longoria, McKnight, Mengden, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Adams, Aikin, Braecklein, Brooks, Clower, Creighton, Farabee, Hance, Harris, Jones of Taylor, Kothmann, Lombardino, Mauzy, Meier, Moore.

SENATE BILL 325 ON THIRD READING

Senator Hance moved to suspend the regular order of business to take up for consideration on its third reading and final passage:

S.B. 325, Relating to the qualifications for holding elective public offices, with special provisions relating to the office of school trustee; amending Subdivision 2,

Section 5, Texas Election Code, as amended (Article 1.05, Vernon's Texas Election Code); also amending Section 22.05 and Subsection (c) of Section 23.19, Texas Education Code, and repealing Section 21.007, Texas Education Code.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Adams, Andujar, Brooks, Creighton, Doggett, Farabee, Hance, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Aikin, Braecklein, Clower, Harris, Mauzy.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

COMMITTEE SUBSTITUTE SENATE BILL 917 ON SECOND READING

On motion of Senator Andujar and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 917, Relating to funding deferred compensation programs for certain public employees; authorizing purchases of investment contracts and purchases from certain financial institutions and savings and loan associations; amending Sections 1, 5, and 7, Chapter 197, Acts of the 63rd Legislature, 1973 (Article 6252-3b, Vernon's Texas Civil Statutes); and providing an effective date.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 917 ON THIRD READING

Senator Andujar moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 917** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTE

Senator Creighton asked to be recorded as voting "Nay" on the final passage of the bill.

COMMITTEE SUBSTITUTE SENATE BILL 633 ON SECOND READING

On motion of Senator Jones of Harris and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 633, Relating to the operation of an advance fee resume service; making certain acts by persons operating such service unlawful; providing duties of persons operating advance fee resume services; providing consumer remedies and penalties for violation; and declaring an emergency.

(Senator Meier in Chair)

The bill was read second time and was passed to engrossment.

RECORD OF VOTE

Senator Hance asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 633 ON THIRD READING

Senator Jones of Harris moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 633** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Hance.

SENATE BILL 608 ON SECOND READING

Senator Mengden moved to suspend the regular order of business to take up for consideration at this time:

S.B. 608, Relating to requiring semiannual meetings at each nursing home to discuss conditions at the home; amending Chapter 413, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 4442c, Vernon's Texas Civil Statutes), by adding Section 7A.

The motion prevailed by the following vote: Yeas 22, Nays 9.

Yeas: Adams, Andujar, Braecklein, Brooks, Doggett, Hance, Harris, Jones of Harris, Kothmann, Lombardino, Mauzy, Mengden, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Aikin, Clower, Creighton, Farabee, Jones of Taylor, Longoria, McKnight, Meier, Moore.

The Presiding Officer then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

RECORD OF VOTES

Senators Moore and Ogg asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

MOTION TO PLACE SENATE BILL 608 ON THIRD READING

Senator Mengden moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 608** be placed on its third reading and final passage.

The motion was lost by the following vote (Not receiving four-fifths vote of the Members present): Yeas 21, Nays 10.

Yeas: Adams, Andujar, Braecklein, Brooks, Doggett, Hance, Harris, Jones of Harris, Kothmann, Lombardino, Mauzy, Mengden, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Aikin, Clower, Creighton, Farabee, Jones of Taylor, Longoria, McKnight, Meier, Moore, Ogg.

SENATE BILL 475 ON SECOND READING

Senator Harris moved to suspend the regular order of business to take up for consideration at this time:

S.B. 475, Relating to the maximum permissible interest rate which may be charged by certain registered securities brokers or dealers for carrying a debit balance in an account for a customer under certain circumstances; amending Chapter 1, Title 79, Revised Civil Statutes of Texas, 1925, as amended (Articles 5069-1.01, et seq., Vernon's Texas Civil Statutes), by adding Article 1.08; and declaring an emergency.

The motion prevailed by the following vote: Yeas 25, Nays 6.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Santiesteban, Sherman, Traeger, Williams.

Nays: Doggett, Mauzy, Patman, Schwartz, Snelson, Truan.

The Presiding Officer then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time.

(President in Chair)

Senator Harris offered the following committee amendment to the bill:

Amend Senate Bill 475 by inserting a period between the numbers "1" and "0" as they appear on the fifth line of Section 1 of the bill.

The committee amendment was read and was adopted.

On motion of Senator Harris and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

RECORD OF VOTES

Senators Mauzy, Truan, Patman, Doggett and Sherman asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 475 ON THIRD READING

Senator Harris moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 475** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 6.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Santiesteban, Snelson, Tracer, Williams.

Nays: Doggett, Mauzy, Patman, Schwartz, Sherman, Truan.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTES

Senators Truan, Sherman, Patman, Mauzy and Doggett asked to be recorded as voting "Nay" on the final passage of the bill.

COMMITTEE SUBSTITUTE SENATE BILL 1158 ON SECOND READING

Senator Moore moved to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 1158, Amending Article 3.34, Texas Insurance Code of 1951, as amended; relating to the definitions of corporate first mortgage bonds, notes and debentures, bank and bank holding company stocks, bank deposits, policy loans, real estate, insurance requirements and debt obligations of other corporations; establishing the valuation of Texas securities and or similar securities; and declaring an emergency.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Williams.

Nays: Clower, Doggett, Mauzy, Patman, Truan.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

RECORD OF VOTES

Senators Mauzy, Hance and Doggett asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 1158 ON THIRD READING

Senator Moore moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 1158** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Williams.

Nays: Clower, Doggett, Mauzy, Patman, Truan.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTES

Senators Mauzy, Patman, Truan, Hance, Sherman and Doggett asked to be recorded as voting "Nay" on the final passage of the bill.

SENATE BILL 541 ON SECOND READING

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 541, Relating to prerelease arrangements for follow-up and outpatient care for a patient released from a state mental hospital; adding Subsection (e) to Section 80, Chapter 243, Acts of the 55th Legislature, Regular Session, 1957 (Article 5547-80, Vernon's Texas Civil Statutes).

The bill was read second time.

Senator Brooks offered the following amendment to the bill:

Amend **S.B. 541** by striking all below the enacting clause and substituting the following in lieu thereof:

Section 1. Section 80, Chapter 243, Acts of the 55th Legislature, Regular Session, 1957 (Article 5547-80, Vernon's Texas Civil Statutes), is amended by adding Subsection (e) to read as follows:

"(e) Prior to the furlough or discharge of a patient, the head of the mental hospital shall develop a plan for continuing care if, in his opinion, the patient's condition requires such care. If the county in which the patient will reside is served by a community center for mental health and mental retardation established pursuant to the provisions of Article 5547-203, Vernon's Texas Civil Statutes, and if continuing care by such community center is appropriate, the plan shall be developed jointly by the head of the mental hospital and the director of the community center. If the head of the mental hospital determines, after consultation with the director of the community center, that continuing care by such community center is not appropriate, or, if the county in which the patient will reside is not served by a community center, then the head of the mental hospital shall make other arrangements for continuing care of the patient by an outpatient clinic, private physician or other agency or person as may be appropriate.

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read and was adopted.

Senator Brooks offered the following amendment to the bill:

Amend **S.B. 541** by striking all above the enacting clause and substituting the following in lieu thereof:

A BILL TO BE ENTITLED

AN ACT

relating to arrangements for continuing care for a patient discharged or furloughed from a state mental hospital; adding Subsection (e) to Section 80, Chapter 243, Acts of the 55th Legislature, Regular Session, 1957 (Article 5547-80, Vernon's Texas Civil Statutes); and declaring an emergency.

The amendment was read and was adopted.

The bill as amended was passed to engrossment.

SENATE BILL 541 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 541** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

COMMITTEE SUBSTITUTE SENATE BILL 1078 ON SECOND READING

Senator Williams asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 1078, Relating to valuation of property for taxation when said property is nominally owned by nonprofit associations, corporations, or other organizations for the use, benefit, and enjoyment of their members; authorizing the tax assessor to value such property on a nominal basis under certain conditions; providing that the true value of such nominally owned property is reflected in the enhanced value of the property owned by the members of the organization whose ownership entitles them to the use and enjoyment of the nominally owned property; defining certain terms and conditions; proclaiming legislative policy with respect to such nominally owned property; repealing all laws or parts of laws in conflict herewith; and declaring an emergency.

There was objection.

Senator Williams then moved to suspend the regular order of business and take up **C.S.S.B. 1078** for consideration at this time.

The motion prevailed by the following vote: Yeas 27, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Moore, Ogg, Parker, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Williams.

Nays: Mauzy, Patman, Truan.

Absent: McKnight.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

RECORD OF VOTES

Senators Hance, Mauzy, Doggett, Patman and Truan asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 1078 ON THIRD READING

Senator Williams moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 1078** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 4.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Moore, Ogg, Parker, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Williams.

Nays: Doggett, Mauzy, Patman, Truan.

Absent: McKnight.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTES

Senators Hance, Truan, Doggett, Mauzy and Patman asked to be recorded as voting "Nay" on the final passage of the bill.

MEMORIAL RESOLUTIONS

H.C.R. 146 (Patman): Memorial resolution for W. G. "Bill" McCampbell.

S.R. 577 - by Adams: Memorial resolution for Dr. Joseph L. Rosenbloom.

S.R. 580 - by Schwartz: Memorial resolution for Rabbi Henry Cohen.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 574 - by Parker: Extending welcome to Reverend Dale Vance.

S.R. 575 - by Clower: Extending congratulations to Jane Dugan and Debra Block.

S.R. 576 - by Jones of Harris: Extending welcome to Windsor Elementary School 6th Grade Class.

S.R. 578 - by Clower: Extending congratulations to Dee Wall and Pat Herron.

S.R. 579 - by Clower: Extending welcome to Miss Virginia Duff.

ADJOURNMENT

On motion of Senator Aikin the Senate at 12:16 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX**Sent to Governor**

(April 26, 1977)

S.C.R. 3**S.B. 637****S.B. 685****S.B. 689****S.B. 735****S.B. 922****FIFTY-EIGHTH DAY**

(Wednesday, April 27, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Snelson, Traeger, Truan, Williams.

Absent-excused: Sherman.

A quorum was announced present.

The Reverend Harwell E. Norris, Jr., St. Andrews Presbyterian Church, Austin, Texas, offered the invocation as follows:

God, our Heavenly Father, we come here with the feeling of the great responsibility that You have placed on our shoulders, for You have ordained these men and women to their office as senators; You have given them the task and responsibility to carry on the work that You have laid before them, for Your glory, for Your people.

We know, Father, that if they are to fulfill their task in their ministry that it requires Your spirit, Your power, within them. Your spirit to give them clear thinking, to give them courage, to give them the willingness to assume their responsibilities. And we thank You, Father, now for your presence, for Your direction and guidance upon each one present, for the carrying out of Your will for the benefit of all the citizens of this state, and of this nation. Truly bless this meeting this day, filling it and each one of its members with Your concern, with Your love, with Your will, for Your glory. For this we ask in Jesus' name and for his sake. Amen.